

Application S/N 9/890,307  
Reply to Office Action of March 24, 2003

Patent  
Attorney Docket No. CU-2604

### REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

The Specification stands objected to for not containing the Abstract of the Disclosure. In response, the Abstract is attached hereto on a separate page.

The Specification also stands objected to for containing an informality. As suggested by the Examiner, the "isolator in placed" on Page 5, line 17 has been amended to --isolator in place-- to remove the typographical error.

Accordingly, withdrawal of the objections to the Specification is respectfully requested.

Claims 1-5 are pending in the present application before this amendment. By the present amendment, Claim 2 has been canceled without prejudice, and Claims 1, 3-5, 6, and 12-13 have been amended. Claims 17-21 have been added. No new matter has been added.

Claim 6 stands objected to for containing informalities. In response, "occurs substantially adjacent is interconnection" has been amended to --occurs substantially adjacent to the interconnection-- as suggested by the Examiner. Withdrawal of the objection is respectfully requested.

Claims 1, 5-8, 11, and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4, 922,096 (Brennan). The "et al." suffix, which may appear after a reference name, is omitted.

Claims 2-4, 9, 10, 12 and 14-15 are indicated as being allowable if they are rewritten in

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independent form, including all limitations of the base claim and any intervening claims.

In response, Claim 1 has been amended to include the limitations of Claim 2 as suggested by the Examiner who has indicated Claim 2 as being allowable. Claims 3-4 have been amended so that they now depend on Claim 1, instead of Claim 2. By the above amendments, Applicants respectfully submit that Claims 1 and 3-6, as amended, are now in condition for allowance and also respectfully request an indication thereof.

Although Claims 1 and 3-6 have been amended to incorporate allowable subject matter so that these claims are presented in condition for allowance, Applicants respectfully disagree with the assertion in the Office Action that Brennan discloses the features of Claim 1. In particular, Brennan relies upon the Rayleigh backscattering in order to **cause** piezoelectric actuation, whereas the present invention uses the piezoelectric actuation to **reduce** Rayleigh backscattering. Therefore, Brennan cannot be considered to disclose, inter alia, --a method of reducing the feedback effect from Rayleigh backscattering--. Therefore, the present amendments of Claims 1 and 3-6 have been made in the sole interest of obtaining an allowance of these claims. Applicants respectfully reserve the rights to reintroduce, if appropriate, the features of the original Claim 1 in its original scope during the prosecution of either the present application or later filed co-pending application(s).

As to Claims 7-15, Applicants respectfully submit that the original independent Claim 7 already includes the feature of continuous perturbation of the waveguide. It appears that the distinguishing limitation --substantially mechanically perturb a portion of said optical waveguide-- that is already recited in Claim 7 has been overlooked in the Office Action. This

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limitation should have been considered allowable in view of the remarks in the Office Action page 3, Item 7 that "The relevant prior art does not teach or reasonably suggest that the oscillation of the low frequency mechanical vibration is continuous...." As the Examiner has already indicated that the feature of continuous vibration would make the method claims allowable, Claims 7-15 are considered to be also allowable since Claim 7 already recites this distinguishing feature in its unamended form.

Claims 12 and 13 have been amended to correct a typographical error "herein" to -- wherein--.

The newly added independent Claim 17 incorporates the limitations of Claims 1 and 3. Claim 3 has already been indicated as being allowable in the Office Action. Therefore, the newly added Claims 17-21 are considered to be in condition for allowance. Applicants respectfully request an indication thereof.

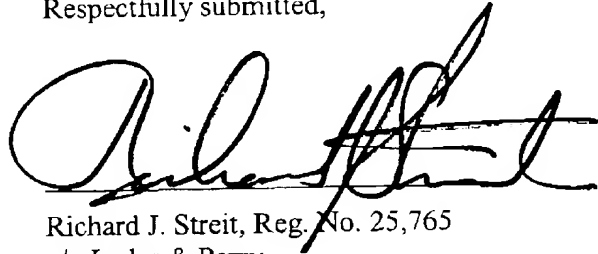
For the reasons set forth above, Applicants respectfully submit that Claims 1, 3-15, and 17-21, now pending in this application, either have been allowed or are in condition for allowance. This amendment is considered to be responsive to all points raised in the Office Action. Accordingly, Applicants respectfully request a Notice of Allowance in the next action.

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Should the Examiner have any remaining questions or concerns, the Examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Richard J. Streit", is written over a horizontal line.

Dated: August 25, 2003

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Attachment

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ABSTRACT OF THE DISCLOSURE

An optical communications system comprises, among other things, a laser source; an optical waveguide interconnected to the laser source to carry an optical signal from the source to an optical receiver; an optical receiver interconnected to the optical waveguide for decoding the signal; and a mechanical modulator adapted to substantially continuously mechanically perturb a portion of the optical waveguide so as to reduce Rayleigh backscattering from the optical waveguide.

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